

## **South Pacific Property Law**

**By Don Paterson and Sue Farran**

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**Reviewed by Silivia Takilai<sup>[\*]</sup>**

This text was designed to provide a description and a commentary on the law of property, as it exists in the countries of the South Pacific region. A book such as this is very welcome as an authority in the area of property law for the region. It particularly highlights the dichotomy that exists between English notions of property law and Pacific understanding of what is property law. The chapters are presented in simple English with examples drawn from the countries of the South Pacific region.

There are eleven chapters within the book and it examines the definition of property; the different types of ownership of property; possession and occupation; the types of interests that may exist in relation to property; the management of property and its use and enjoyment; how property may be acquired in the region; how property may be alienated and how property may be protected with regards to recent developments in intellectual property rights; and how claims to property can be resolved with emphasis on traditional methods of resolving claims. The last chapter considers remedies that are available to parties to a dispute under the current property regimes of the South Pacific region.

Of particular significance is the attempt by the authors to describe, discuss and portray the dichotomies between customary notions of property and common law descriptions of property and how these two regimes have co-existed since Pacific countries gained independence in the late 1900s. Since most countries of the South Pacific region were, at one time or another associated with Great Britain, most have adopted the property law regimes of the UK and hence the influence of their regimes is very profound in the development of each country's property laws. These have been addressed sufficiently within the text.

This book is an invaluable tool for those interested in property law regimes of the region, especially those working or researching in matters pertaining to land and water rights. It should also serve as a guide to other disciplines in the arts and in particular legal professionals and students doing property law.

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